

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Friday, April 30, 2013

4:00 PM

Council Chambers

The City Council for the City of Crossville, Tennessee met in special session on Tuesday, April 30, 2013, at Crossville City Hall. Mayor J. H. Graham, III was present and presiding. He called the meeting to order at 4:00 p.m.

Roll Call

Present: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza, and Council Member Jesse Kerley. Others present were Interim City Manager Jack Miller, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Pam Harris, Peggy Harris, Ray Harris, Bob Schwartz, Bill Schmidt, Jeffrey Skidmore, Chris Bennett, Terry Ashburn, Ashley Allen, Tim Begley, Fred Houston, Darlene Barnwell, David Beaty, Jerry Garrison, Vancieneta Wisdom, Jim Young, Lou Morrison, Lee Lawson, Steve Hill, Sebastian M. Sternishan, Taylor Denny, Jamie Sharp, Isaac Lawhorn, Jerry Kerley, Timothy Meadows, Jim Morrow, Margie Buxbaum, Mike Turner, and Chris South.

ITEM #1 – Appointment

a. Cumberland County Board of Equalization

A motion was made by Mayor J.H. Graham III, seconded by Council Member Jesse Kerley, that Joe Reynolds be appointed to the Board of Equalization. The motion carried by the following vote: Aye: 5 Council Member George Marlow, Mayor Pro tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

ITEM #2 – Consent Agenda

Ordinances on Second Reading

A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that ordinances "a" and "b" be approved on second reading.

a. Ordinance changing the speed limit on Short Road from 35 MPH to 25 MPH

b. Ordinance amending the FY2012-13 budget for outside agencies
The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

Other Consent Items

A motion was made by Councilman Souza, seconded by Mayor J. H. Graham, that items "c" and "d" on the consent agenda be approved as recommended.

c. Approval of grant application for COPS grant for one SRO officer
The U.S. Department of Justice has announced a new round of

COPS Grants. Priority will be given for applications for funding of SRO officers, although applications can be submitted for full-time law enforcement officers. If approved, this grant will provide 75% of the costs for salary and benefits for three years. The City would be responsible for the 25% match and all other costs and agree to fund the position in full for the fourth year. Chief Beaty recommended that an application be submitted for one SRO officer to be used at Martin Elementary.

d. Approval of change order #1 on sewer improvements project

On the sewer improvements project to replace sewer lines on Miller Ave. and Hwy. 70E, the original bid specifications called for C-900 DR25 8" pressure sewer pipe. Director of Engineering, Tim Begley, requested that the pipe be changed to C-900 DR14 8" pressure sewer pipe. The additional cost is \$4,986.74.

The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley

ITEM #3 – Bids/Purchases

a. Runway Lighting

Bids were received on March 28 for replacement of the runway lighting. Two bids were received:

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|----------------------|-----------|
| Freitag Construction | \$271,500 |
| Stansell Electric | \$839,570 |

The engineer's estimate was \$492,000. The low bid of Freitag Construction, including the add-alternate #1 was recommended for acceptance. The City has a \$475,000 grant for this project with a local match of \$25,000. (A copy of the bid tabulation is attached and made a part of these minutes.)

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Mayor J.H. Graham III, that the low bid of Freitag Construction on the airport runway lights be accepted. The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

ITEM #4 – OTHER BUSINESS

a. Matters relative to City Manager search

Councilman Souza stated that he was interested in getting the job posted for 30-45 days. City Clerk Sally Oglesby reported that the last search was open for 45 days. Mayor Graham suggested a deadline of June 14, 2013 and that all those who submitted in 2011 be notified of the re-opening of the position. All submitted resumes will be held in confidence by the City Clerk until the closing date when they are given to Council members.

b. 1st Reading of Ordinance annexing 1.11 acres on Meadowview Lane

A request was received from James C. Inman to annex his property at 132 Meadowview Lane. To annex this parcel, the remaining portion of Meadowview Lane will be included.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member George Marlow, that the ordinance annexing 1.11 acres on Meadowview Drive be passed on first reading. The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

c. Matters relative to annexation

On the closing day of the General Assembly, a bill was passed that affected any annexation initiated by the City and not finalized by April 15. It did not affect any

annexations that are at the request of the property owner. This legislation put a moratorium on annexations that are not by petition from the property owner from April 12, 2012 through May 15, 2014 and affects the annexation of Satsuma Drive, which was to be effective on April 25. The legislation requires that the City can petition the County Commission to waive or exempt the moratorium if the delay would cause the municipality to suffer substantial and demonstrable financial injury if such ordinance does not become operative prior to May 15, 2014. The City has entered into a contract with Hopper Excavating for water, sewer, and road improvements in the amount of \$152,915. The contractor has already started construction. To not allow this annexation to become effective would mean that the City is paying for road, water, and sewer services outside its corporate limits and would not be able to re-coup 75% of the costs from the property owners through the abutment process. (A copy of the approved letter is attached and made a part of these minutes.)

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Mayor J.H. Graham III, that the letter to the Cumberland County Commission to request a waiver and allow the annexation to become effective be approved for submittal. The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

d. Matters relative to Plateau Insurance

The City Attorney and the Counsel for the Industrial Development Board are working on the documents necessary for approval by the IDB to facilitate the loan to Plateau Insurance. It has been determined that the minimum interest rate that can be charged is 1.09%. This has been discussed with Plateau Insurance and they have approved the new rate. The costs for the IDB Counsel are expected to run \$4,000-5,000 because of the special financing and documents required to go through the IDB. Plateau Insurance has agreed to cover these costs. However, they requested that their initial offer to have the loan callable in two years be taken off the table.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Jesse Kerley, that the changes in the terms for the loan to Plateau Insurance be approved. The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

e. Matters relative to Army Corps of Engineers opinion regarding soccer fields

Tim Begley reported that the City has been working with Hicks Excavating and a professional soil scientist to locate hydric soils outside the construction site to determine the amount of wetlands. The Army Corps of Engineers believes that 5 acres of wetland were filled in, but the city's position is that the amount is much smaller. If they conclude that 5 acres were filled in, there would be 10 acres to be mitigated through the purchase in a wetlands bank with an estimated cost of \$200,000 to \$400,000. Mr. Begley has been advised that core drilling should not be done because it would be considered as tampering with the soil. Councilman Souza summed up the situation by saying that the City can't go down there and find out what is down there, but the Corps can determine what is down there without going down there.

f. Matters relative to in-house City Attorney

Councilman Souza requested that the deadline for the applications be extended to some time in June to make the City Manager search and the budget a higher priority. Council concurred with his request.

g. Matters relative to former Veterans Affairs Building

Mayor Pro-Tem Wyatt submitted a proposed plan for the construction of a restrooms/concessions facility adjacent to the amphitheatre. An estimate on the construction cost has not been prepared, but would probably be \$60,000-70,000. The restrooms would be available for any downtown events and it was suggested that a request be made through the Tennessee Technology Center and possibly the prison for construction assistance. The tax appraisal on the 3 properties was \$103,000.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Jesse Kerley, that Mayor Graham attend the next meeting of the Building and Grounds Committee and offer to purchase the three parcels containing the Snodgrass building and the amphitheatre for one-half of the tax appraised value or a long-term lease to coincide with the amphitheatre lease. The motion carried by the following vote: Aye: 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley.

h. Matters relative to FY13-14 budget

Mayor Graham announced that he had invited Melinda Keifer to come to the monthly work session to be held on Tuesday, May 7, at 3:00 p.m. Ms. Keifer is the former director of the Tennessee Main Street Program and was in charge of the downtown project in Cookeville. She is currently the Economic Director for the City of Cookeville. The remainder of the work session will be to discuss the FY13-14 budget, including any and all issues of concern to the Council members.

With no further business, the meeting was adjourned at 4:44 p.m.